



W.P(MD)No.4451 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 18.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.4451 of 2026
and
WMP.(MD)No.3720 of 2026

S.Pandi

... Petitioner

Vs.

1.The Accountant General (A&E)
Tamilnadu,
Office of the Accountant General,
361, Anna Salai, Chennai-18.

2.The District Collector,
Madurai District, Madurai.

3.The Tahsildar,
Tirumangalam Taluk,
Madurai District.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.No.



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3743457/2025/E7 dated 27.12.2025 issued by the second respondent and quash the same and consequently direct the respondents to grant the monthly pension received the last monthly salary sum of Rs.24,704/- in favour of the petitioner.

For Petitioner : Mr.H.Velavadhas

For R1 : Mr.P.Gunasekaran,
Standing Counsel

For R2 & R3 : Mr.C.Venkatesh Kumar,
Special Government Pleader.

ORDER

The petitioner is a retired Office Assistant. He retired on 31.05.2021 on attaining superannuation. He was originally appointed as Village Assistant on 17.05.1995 and rendered service for more than 26 years. On the verge of his retirement, he has been promoted as Office Assistant, on 26.05.2021. The petitioner has submitted a representation to consider the case of the petitioner for pension. The respondents, by the order impugned in this writ petition, has taken



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50%
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50% of the service rendered by the petitioner as Village Assistant along with the service of Office Assistant. The petitioner with a grievance that the respondents have not taken the entire service period for calculating pension, as per the guidelines issued in G.O.Ms.No.73, Revenue and Disaster Management (Ser.8(1))Department, dated 13.02.2025, has filed this writ petition.

2.The learned counsel appearing for the petitioner, by referring to the order passed by the Division Bench of this Court in WA.(MD)Nos. 1200, 1201, 1511 & 1199 of 2025 and 70 of 2026 dated 03.02.2026, submits that in a similar matter learned Additional Advocate General , who appeared on behalf of the respondents has consented that the petitioners, who have been promoted from the post of Village Assistant, are entitled for pension benefits by considering their earlier period of service. The relevant portion of the order is extracted hereunder:-



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9. In view of the submission of Thiru.M.Ajmal Khan, learned Additional Advocate General, on instructions, from the Government, the service of the Village Assistants from the date of the appointment could not be termed as “non-provincialised” service, this Court is inclined to hold that, in all subject matters of these cases before this Court where a Village Assistant is promoted as Village Administrative Officer, the full service rendered as Village Assistant after 01.06.1995 as well as Village Administrative Officer shall be taken into account for computing the pensionary benefits. In view of the above finding that Village Assistant service is not termed as non provincialised service, reliance of the G.O.Ms.No.73 Revenue and Disaster management [Ser.8(1)] Department, dated 13.02.2025, subject to the result of these Writ Appeals need not be considered. Therefore, the writ Court had correctly directed the Government to reckon the writ petitioner's full regular service rendered as a Village Assistant and Village Administrative Officer as qualifying service and this Court finds no merit in these appeals and all the appeals are liable to be dismissed.



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3. Though this writ petition is in the admission stage and the learned standing counsel and the learned Special Government Pleader appearing for the respondents seek some accommodation for filing their response, considering the above order passed by the Division Bench dated 03.02.2026, the order impugned dated 27.12.2025 is set aside and this writ petition is allowed with a direction to the second respondent to consider the case of the petitioner in the light of the order passed by the Division Bench dated 03.02.2025. Let this exercise be completed, within a period of four months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

18.02.2026

NCC: Yes/No
Index: Yes/No
Internet: Yes
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2.The District Collector,
Madurai District, Madurai.

3.The Tahsildar,
Tirumangalam Taluk,
Madurai District.



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B.PUGALENDHI, J.

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